



— State of —
North Dakota
Office of the Governor
John Hoeven
Governor

EXECUTIVE ORDER 2006-01
Creation of the North Dakota Commission on Education Improvement

WHEREAS, Article VIII, Section 1 of the North Dakota Constitution provides that the Legislative Assembly “shall make provision for the establishment and maintenance of a system of public schools which shall be open to all children of the state of North Dakota”; and

WHEREAS, the Legislative Assembly has made provision for the establishment and maintenance of a system of public schools by adoption of N.D.C.C. title 15.1; and

WHEREAS, demographics, technology, and educational practices are continually changing; and

WHEREAS, an examination of the current system of delivering and financing public elementary and secondary education may result in recommendations to improve the current system of delivering and financing public elementary and secondary education;

NOW, THEREFORE, I, John Hoeven, by the authority vested in me as Governor of the State of North Dakota, by Article V, Section 1 of the North Dakota Constitution, order the following:

There is created the “North Dakota Commission on Education Improvement”, which shall consist of the following members to be appointed by the Governor:

- The Governor, or the Governor’s designee, serving as Chairman.
- A school administrator of a K-12 district having more than 1,000 students in attendance. Initially, this position shall be filled by the current Superintendent of Williston Public School District No. 1.
- A school administrator of a K-12 district having more than 220 but less than 1,000 students in attendance. Initially, this position shall be filled by the current Superintendent of Grafton Public School District No. 3.
- A school administrator of a K-12 district having less than 220 students in attendance.
- A School District Business Manager.
- The chairperson of the Senate Education Committee.
- The chairperson of the House Education Committee.
- The Senate Minority leader.
- A legislator designated by the chairman of the Legislative Council.
- The North Dakota Superintendent of Public Instruction or a designated Assistant Superintendent.

Ad hoc members shall include:

- A representative of the North Dakota School Board Association.
- A representative of the North Dakota Education Association.
- A representative of the North Dakota Council of Education Leaders.

Ad hoc members may participate in all discussions and deliberations of the Commission, but shall not have voting authority.

Voting members may send a substitute member, who shall have full voting rights, in the event they are unable to attend a meeting in person.

Decisions of the Commission: The Commission is encouraged to reach decisions by consensus of its members. In the event consensus cannot be reached, a final decision on recommendations of the Commission must be adopted by eight voting Commission members. Procedure decisions will be made by a simple majority.

Terms of each member shall be open-ended and continue for so long as that member continues in the categorical position for which he or she was selected.

Replacement of Commission members: The Governor shall name replacements of members from the respective categories of membership. If a school administrator is to be replaced, the Commission's remaining administrative members shall recommend to the Governor a replacement from a similar sized school district.

The Commission is authorized to perform the following tasks:

1. Provide periodic reports to the Governor.
2. Examine the current system of delivering and financing public elementary and secondary education.
3. Propose a resolution for consideration by the 2007 North Dakota Legislative Assembly that would adopt the Commission as a vehicle for proposing improvements in the system of delivering and financing public elementary and secondary education.
4. Submit to the Governor and the North Dakota Legislative Assembly, including the interim education committee, a report that provides recommendations on how to improve the current system of delivering and financing public elementary and secondary education, including addressing the adequacy of education, the equitable distribution of state education funds, and the allocation of funding sources between the state and local school districts.
5. Based upon the report submitted pursuant to paragraph 4, by the 2009 Legislative Session, submit to the Governor and Legislative Assembly, including the interim education committee, a proposed bill that would implement the Commission's recommendations on how to improve the current system of delivering and financing public elementary and secondary education.

Statements, actions, reports, recommendations, or decisions of the Commission, and its members in their capacity as members of the Commission, are not statements, actions, reports, recommendations, decisions or positions of the state of North Dakota unless specifically approved by the Governor and the North Dakota Legislative Assembly.

Executed at Bismarck, North Dakota, this 10th day of January 2006.

/s/
John Hoeven, Governor

Attest:

/s/
Alvin A. Jaeger, Secretary of State

Deputy